

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 3/18/2014	(3) CONTACT/PHONE Paavo Ogren, Director of Public Works (805) 781-5252	
(4) SUBJECT Update on the Paso Robles Groundwater Basin Management Plan implementation and submittal of a resolution of intent to draft amendments to the Paso Robles Groundwater Basin Management Plan. Districts 1 and 5.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (Flood Control District) receive a Paso Robles Groundwater Basin Management Plan implementation update and approve the attached resolution to draft amendments to the Paso Robles Groundwater Basin Management Plan.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input checked="" type="checkbox"/> Board Business (Time Est. <u>155 Min.</u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>12/17/13; #35</u>	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 1 - District 5 -			

Reference: 14MAR18-BB-1

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Paavo Ogren, Director of Public Works

DATE: 3/18/2014

SUBJECT: Update on the Paso Robles Groundwater Basin Management Plan implementation and submittal of a resolution of intent to draft amendments to the Paso Robles Groundwater Basin Management Plan. Districts 1 and 5.

RECOMMENDATION

It is recommended that the Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (Flood Control District) receive a Paso Robles Groundwater Basin Management Plan implementation update and approve the attached resolution to draft amendments to the Paso Robles Groundwater Basin Management Plan.

DISCUSSION

On March 27, 2012, your Board, sitting as the Flood Control District, adopted a Groundwater Management Plan (Basin Plan) for the Paso Robles Groundwater Basin (Basin) pursuant to Assembly Bill 3030 (AB 3030), which was established by State Legislation in 1992 to encourage and provide a systematic way of managing groundwater basins throughout California. The Basin Plan was funded by the California Department of Water Resources (DWR) through a grant with the City of Paso Robles. On May 1, 2012, the City also adopted the Basin Plan. The Plan complies with Senate Bill 1938 (2002), which is required to seek DWR grants for groundwater projects and groundwater quality projects. Your Board created a Blue Ribbon Committee (BRC) to help steer implementation of the Plan, and several status updates have been provided to your Board over the past two years.

On October 1, 2013, staff provided a report including a discussion on Basin issues including the following:

- Feasibility studies
- Water district options
- The Basin Plan

Since October 1st, water district and feasibility efforts have since been considered in additional detail by your Board. Consequently, it is timely to begin amending the Basin Plan in a manner consistent with State Water Code in order to incorporate these Basin issues. In order for your Board to consider possible future amendments to the Basin Plan, the attached resolution must be approved for staff to begin drafting possible amendments. On December 12, 2013, staff presented a report to the BRC, which included Attachment "A" to illustrate the general approach to amending the Basin Plan. Attachment "B" includes the goals and objectives discussed with your Board on October 1, 2013. At their January Meeting, the BRC supported the approach, which is reflected in Attachment "C."

The Amendment Process

Amending the existing AB 3030 Plan for the Basin will require the same procedures as its original adoption including a resolution of intent, public notifications, stakeholder outreach and participation, hearing requirements, and the opportunity for landowners to protest. If landowners whose land value exceeds 50% of the value of all land covered by the Plan submit protest against adoption of the amendments, then they cannot be adopted or reconsidered for one year.

The process and timing of amending the existing Basin Plan will also need to consider water district efforts and legislation that may be approved in 2014.

The following table that identifies nine (9) objectives that we reviewed with your Board on October 1, 2013 in considering amendments to the existing Basin Plan.

Objective	Water Code Sections (WCS)
1(A) - Ensure that Plan amendments include participation of interested landowners and their support so that a majority protest does not result.	WCS 10753.6(c)(2) Amendments cannot be adopted if protests are submitted from landowners with greater than 50% of assessed value of land.
1(B) - Ensure that the development of amendments do not create obligations or impacts that would trigger an adjudication of the Basin.	WCS 10753(a) Amendments cannot be adopted and implemented by a local agency in a basin that is subject to a court order, judgment or decree.
1(C) - Ensure that amendments includes a comprehensive funding plan.	WCS 10753.7 and 10754 et. Seq. To implement an amended Plan budgets will be needed.
1(D) - Ensure that amendments include funding authorizations.	WCS 10754.3 Majority vote in favor in an election of registered voters is required.
1(E) - Ensure that the development of amendments provides for the adoption of rules and regulations by the District.	WCS 10753.9 Implementing agencies must adopt rules and regulations to implement and enforce an amended Basin Plan.
1(F) - Ensure that the amendments are acceptable to the Board of Supervisors, acting on behalf of the Flood Control District.	WCS 10750.7 Amendments cannot be adopted and implemented by a local agency in the service area of another entity without the agreement of the other entity.
1(G) - Develop more robust technical plan components.	WCS 10753.9 The Plan needs to have more robust technical components to adopt rules and regulations.
1(H) - Clearly identify the Sequencing of Issues and Decision-Making.	Developing amendments requires addressing many issues, and many future decisions. Sequencing or flowcharting those decisions in Plan amendments will help with clarifying future steps.
1(I) – Ensure that the Plan provides for coordination with other Agencies and other efforts.	Identifying in the plan how coordination will occur with other entities and other efforts will be important for implementing an amended Plan.

See Attachment “B” for more detailed discussion of these objectives.

OTHER AGENCY INVOLVEMENT/IMPACT

Local agencies, such as the City of Paso Robles, Templeton Community Services District and Atascadero Mutual Water Company, and advisory groups, such as the Water Resources Advisory Committee, and other community, agricultural and economic advisory committees, are engaged in the short, medium and long term efforts associated with management of the Basin. In developing draft amendments to the existing Basin Plan, staff will conduct workshops and participate in meetings with other involved agencies and advisory committees.

Coordination with the Administrative Office, Agricultural Commissioner’s Office, County Counsel, Planning and Building Department and Public Health Department is also occurring on issues associated with the Paso Basin.

FINANCIAL CONSIDERATIONS

Efforts associated with implementation of the Basin Plan are included in Fund 19 of the Flood Control District, whose revenue source is Flood Control District Reserves.

RESULTS

Directing staff to proceed with developing amendments to the existing Basin Plan will help to ensure the Basin is effectively managed so it can remain a reliable source of water for all of its users, contributing to safe, healthy, livable, prosperous and well-governed communities.

File: CF 340.280.01

Reference: 14MAR18-BB-1

L:\MANAGMNT\MAR14\BOS\AB 3030 Plan, PRGB brd ltr 03182014.docx.pao.taw

ATTACHMENTS

1. Attachment A - General Approach to Amending the Basin
2. Attachment B - AB 3030 Goals and Objectives
3. Attachment C - Letter of Support
4. Resolution of Intent to Draft a Groundwater Management Plan for the Paso Robles Groundwater Basin